

REMARKS

Claims 1-20 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 3-4, 10-11, and 13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Welsh (U.S. Pat. No. 5,771,949). This rejection is respectfully traversed.

Claim 1, as amended, requires a power planer for planing a top surface of a workpiece comprising a base assembly; a carriage assembly disposed above the base assembly, the carriage assembly comprising a cutterhead assembly, the carriage assembly being vertically movable to change distance between the base assembly and the carriage assembly, a hand crank attached to the carriage assembly for changing the distance between the base assembly and the carriage assembly, the hand crank being vertically movable with the carriage assembly, a material removal gauge disposed on the carriage assembly, a switch disposed on the carriage assembly, and a height scale disposed on the base assembly, wherein the material removal gauge, the switch and the height scale are on the front side of the power planer, and the hand crank is substantially on the front half of the power planer.

The Welsh patent does not teach, disclose or suggest a planer having a hand crank attached to the carriage assembly where the hand crack is vertically movable with the carriage assembly. Instead, the Welsh patent discloses a hand crank 96 attached to a frame 12 of a planing machine 10. The frame 12 of the planing machine 10 is fixed and not capable of any

movement. Since the hand crank 96 is attached to the fixed frame 12, it also is not capable of any movement, let alone vertical movement.

Thus, the Welsh patent does not teach, disclose or suggest a planer having “a hand crank attached to the carriage assembly where the hand crack is vertically movable with the carriage assembly” as is required by Claim 1. Because the Welsh patent does not teach, disclose or suggest such an element, it cannot render Claim 1 and its dependent claims unpatentable.

Similarly, claim 10 requires “a hand crank attached to the carriage assembly where the hand crack is vertically movable with the carriage assembly.” As discussed above, the Welsh patent does not disclose, teach, or suggest such an element. Thus, it cannot render claim 10 and its dependent claims unpatentable.

REJECTION UNDER 35 U.S.C. § 103

Claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Welsh (U.S. Pat. No. 5,771,949) alone. This rejection is respectfully traversed.

Claim 15, as amended, requires a power planer for planing a top surface of a workpiece comprising a base assembly, a carriage assembly disposed above the base assembly, the carriage assembly comprising a motor, a cutterhead assembly driven by the motor, a first roller assembly drivingly connected to the cutterhead, first and second springs disposed between the carriage assembly and the first roller assembly, a second roller assembly drivingly connected to the first roller assembly, third and fourth springs disposed between the carriage assembly and the first roller assembly, the carriage assembly being vertically movable to change distance between the base assembly and the carriage assembly, a hand crank attached to the carriage assembly for changing the distance between the base assembly and the carriage assembly, the hand crank

being vertically movable with the carriage assembly, a material removal gauge disposed on the carriage assembly; a switch disposed on the carriage assembly, and a height scale disposed on the base assembly; wherein the first and third springs provide unequal forces.

In particular, claim 15 requires “a hand crank attached to the carriage assembly for changing the distance between the base assembly and the carriage assembly, the hand crank being vertically movable with the carriage assembly.” As discussed above, the Welsh patent does not teach, disclose, or suggest a planing machine having a hand crank attached to the carriage assembly where the hand crank is vertically movable with the carriage assembly. Thus, the Welsh patent cannot render claim 15 unpatentable.

The Examiner also rejected claims 5-9 under 35 U.S.C. § 103(a) as being unpatentable over Welsh (U.S. Pat. No. 5,771,949) in view of Buttke (U.S. Pat. No. 2,792,036). This rejection is respectfully traversed.

Claim 5, as amended, requires a power planer for planing a top surface of a workpiece comprising a base assembly, a carriage assembly disposed above the base assembly, the carriage assembly comprising a cutterhead assembly, the carriage assembly being vertically movable to change distance between the base assembly and the carriage assembly, a hand crank attached to the carriage assembly for changing the distance between the base assembly and the carriage assembly, the hand crank being vertically movable with the carriage assembly, a material removal gauge disposed on the carriage assembly, a switch disposed on the carriage assembly; and a height scale disposed on the base assembly, wherein the cutterhead assembly has a main body, and three knives disposed on the main body.

In particular, claim 5 requires “a hand crank attached to the carriage assembly for changing the distance between the base assembly and the carriage assembly, the hand crank

being vertically movable with the carriage assembly.” As discussed above, the planing machine disclosed in the Welsh patent does not teach, disclose, or suggest a hand crank attached to the carriage assembly where the hand crank is vertically movable with the carriage assembly. The Buttke patent also does not teach, disclose, or suggest a planer having a hand crank attached to the carriage assembly where the hand crank is vertically movable with the carriage assembly. Thus, the Welsh/Buttke patent combination cannot render claim 5 and its dependent claims unpatentable.

The Examiner also rejected claims 16-18 under 35 U.S.C. § 103(a) as being unpatentable over Welsh (U.S. Pat. No. 5,771,949) alone or in view of Chen (U.S. Pat. No. 5,988,239). This rejection is respectfully traversed.

Claim 16, as amended, requires a power planer for planing a top surface of a workpiece comprising a base assembly, a carriage assembly disposed above the base assembly, the carriage assembly comprising a motor, a cutterhead assembly driven by the motor, a first roller assembly drivingly connected to the cutterhead, a second roller assembly drivingly connected to the first roller assembly, the carriage assembly being vertically movable to change distance between the base assembly and the carriage assembly, a hand crank attached to the carriage assembly for changing the distance between the base assembly and the carriage assembly, the hand crank being vertically movable with the carriage assembly, a material removal gauge disposed on the carriage assembly, a switch disposed on the carriage assembly, and a height scale disposed on the base assembly, wherein the first roller assembly is lower than the cutterhead assembly.

In particular, claim 16 requires “a hand crank attached to the carriage assembly for changing the distance between the base assembly and the carriage assembly, the hand crank being vertically movable with the carriage assembly.” As discussed above, the planing machine

disclosed in the Welsh patent does not teach, disclose, or suggest a hand crank attached to the carriage assembly where the hand crank is vertically movable with the carriage assembly. The Chen patent also does not teach, disclose, or suggest a planer having a hand crank attached to the carriage assembly where the hand crank is vertically movable with the carriage assembly. Thus, the Welsh/Chen patent combination cannot render claim 5 and its dependent claims unpatentable.

ALLOWED SUBJECT MATTER

Applicants appreciate the Examiner's indication that claims 19-20 are allowed.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (410) 821-1641.

No fee is believed due. Nevertheless, the Commissioner is authorized to charge payment of any fees due in the processing of this amendment, or credit any overpayments to Deposit Account No. 02-248.

Respectfully submitted,

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